

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEANGELO THOMAS, #346388,

Plaintiff,

v.

CASE NO. 2:20-CV-11825
HONORABLE VICTORIA A. ROBERTS

BRYAN ENRICI,

Defendant.

**OPINION AND ORDER DENYING PLAINTIFF'S APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF THE FILING FEE AND DISMISSING WITHOUT
PREJUDICE HIS PRISONER CIVIL RIGHTS COMPLAINT**

Michigan prisoner DeAngelo Thomas ("Plaintiff") has filed a *pro se* Civil Rights Complaint pursuant to 42 U.S.C. § 1983 raising a retaliation claim, as well as an Application to Proceed Without Prepayment of the Filing Fee.

Plaintiff's Certificate of Prisoner Institutional/Trust Fund Account Activity states that he had a current spendable account balance of \$430.00 in his prison account as of June 26, 2020 when an administrative officer at the Parnall Correctional Facility in Jackson, Michigan certified his financial statement. The Court thus concludes from the financial data that Plaintiff fails to establish indigence and that he can pay the \$350.00 filing fee and \$50.00 administrative fee for this action. Accordingly, the Court **DENIES** his Application to Proceed Without Prepayment of the Filing Fee and **DISMISSES WITHOUT PREJUDICE** his *pro se* Civil Rights Complaint. The Court is required to dismiss the case because the allegation of poverty is untrue. 28 U.S.C. § 1915(e)(2)(A). Plaintiff may submit a new civil rights complaint with payment of the filing fee and administrative fee in a new case. This case will not be reopened.

Lastly, the Court concludes that an appeal from this decision cannot be taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962). This case is closed. No further pleadings should be filed in this matter.

IT IS SO ORDERED.

s/ Victoria A. Roberts
VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Dated: September 21, 2020